

**UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN**

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In re: Palace Theater LLC,  
Debtor.

Case No. 21-11714  
Chapter 11

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**DECLARATION OF ANTHONY TOMASKA IN COMPLIANCE WITH  
REQUIREMENTS OF 11 U.S.C. §1116(1)(B)**

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I, Anthony J. Tomaska, hereby declare under penalty of perjury that the following is true to the best of my knowledge, information and belief:

1. That I am a member of the Debtor in the above-captioned Chapter 11 proceeding and have been authorized by the remaining members of the Debtor to sign all documentation and pleadings necessary to effectuate this proceeding on behalf of the Debtor.
2. That 11 U.S.C. §1116(1)(A) requires small business debtors to append certain documents to their Chapter 11 Voluntary Petition, namely, the “most recent balance sheet, statement of operations, cash-flow statement, and Federal income tax return...”
3. That these items were not appended to the Voluntary Petition because they do not exist.
4. That Debtor has not filed its tax returns since 2018.
5. That, during the ordinary course of business, the Debtor did not maintain a current balance sheet, cash-flow statement or statement of operations, however, on a going-forward basis, it will prepare and maintain the same with the assistance of its Financial Advisor, Martin J. Cowie, who will be employed in this case as a professional upon entry of the Court’s Order approving the Debtor’s pending Application to Employ him in that capacity.

6. That, pursuant to §1116(1)(B), I make this statement under penalty of perjury.
7. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the contents of the foregoing Declaration are true and correct to the best of my information and belief.

Dated this 24<sup>th</sup> day of August, 2021.

/s/ Anthony Tomaska  
Anthony Tomaska